

EXHIBIT A

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

FILED 20 CVS 4461

2020 APR -3 P 12:38

NATTY GREENE'S BREWING
COMPANY, LLC, NATTY GREENE'S
DOWNTOWN, LLC, EJE, INC. d/b/a CAFE
PASTA, NATTY GREENE'S CREEKSIDE,
LLC d/b/a KAU, JAKE'S DINER OF
WENDOVER, INC. d/b/a JAKE'S DINER,
DAAB, INC. d/b/a JAKE'S DINER, JAKE'S
OF DRAWBRIDGE, INC. d/b/a JAKE'S
DINER, JAKE'S OF BATTLEGROUND,
LLC d/b/a JAKE'S DINER, RIO GRANDE
#14, INC d/b/a RIO GRANDE MEXICAN
KITCHEN, RIOS, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN and RIO GRANDE
FRIENDLY, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN,

Plaintiffs,

v.

TRAVELER'S CASUALTY INSURANCE
COMPANY OF AMERICA, TRAVELER'S
INDEMNITY COMPANY, SENTINEL
INSURANCE COMPANY, LIMITED,
UTICA NATIONAL INSURANCE GROUP,
FRANKENMUTH MUTUAL INSURANCE
COMPANY and STATE AUTOMOBILE
MUTUAL INSURANCE COMPANY,

Defendants.

COMPLAINT

NOW COME Plaintiffs and file this Complaint and allege and say:

PARTIES & JURISDICTION

1. Plaintiffs are entities that own and operate restaurants and bars in Guilford County, North Carolina.

2. At all times mentioned herein, Defendants were licensed to do business in the State of North Carolina, selling business owners, property and casualty insurance policies to bars, restaurants, caterers, banquet halls, and other hospitality businesses.
3. This Court has jurisdiction over this matter because all named Plaintiffs are residents of Guilford County and each of the Defendants sold insurance products to them in this county.
4. The Centers for Disease Control and the World Health Organization (“WHO”) have for years been warning about the possibility of an airborne virus that could cause a worldwide scare and pandemic.
5. Coronavirus (COVID-19) (hereinafter “the virus”) is a highly contagious airborne virus that has rapidly spread and continues to spread across the World. The fear that it would arrive and spread in the United States was particularly great throughout March, 2020 and, eventually, it did arrive.
6. WHO has declared the virus to be a pandemic.
7. The fear of the COVID-19 pandemic is a crisis that has impacted American life on a massive scale including the public’s ability to congregate in bars and restaurants.
8. In an effort to prevent the virus from arriving, and then from further spreading, federal and state authorities have mandated social distancing and have greatly limited the number of people who can gather in any given setting.
9. Greensboro restaurants and bars were poised to seize on the economic impact of both the ACC and NCAA basketball tournaments that were to be hosted at the Greensboro Coliseum.

10. Those entities had been planning and investing for years to reap the economic benefits from the two week period from March 9-21, 2020.

11. In particular, Natty Greene's Brewing Company, LLC had its new location directly across from the Greensboro Coliseum ready to earn its necessary revenue for the year.

12. Crowds began to fill Greensboro restaurants and bars leading up to and at the beginning of the ACC Tournament.

13. On Wednesday, March 11, 2020, public fear and commotion that the virus would arrive and spread caused the Atlantic Coast Conference to order fans to not to attend the ACC Tournament on the following day.

14. On Thursday, March 12, 2020, the Atlantic Coast Conference cancelled the tournament. The NCAA quickly followed suit.

15. In an effort to prevent the arrival and spread of the virus at locations throughout the State, North Carolina Governor Roy Cooper on March 17, 2020 issued Executive Order No. 118 which ordered the complete closure of the "dine-in" portion of restaurants. Furthermore, Governor Cooper's order was clear: "Bars are directed to close." A violation of the Order was deemed by the Governor to be a crime.

16. On March 27, 2020, Governor Cooper issued Executive Order No. 121 that: (a) directs North Carolina residents to stay in their homes except when performing "essential" activities; (b) prohibits gatherings of 10 or more people; and (c) requires "non-essential" businesses to cease operations. Governor Cooper did not issue this Order because of damages being caused by the virus itself, but instead to "mitigate community spread" of the virus, i.e., to prevent damages caused by the virus.

17. Public fear and commotion and, significantly, the governmental actions and closures implemented because of and in response to the threat of the virus have caused Plaintiffs to incur significant financial losses and damages.

18. Since that date of Governor Cooper's Order, countless North Carolina bar and restaurant operators, among other businesses, have made claims under their business owner, property and casualty insurance policies to recover the business revenues they have lost, and continue to lose, as a result of the public fear and commotion concerning the virus, the closures implemented to prevent the arrival and spread of the virus and Governor Cooper's Executive Order.

19. Insurers, including Defendants, have denied nearly every claim for lost business revenues by claiming their insureds have no coverage for various incorrect reasons. The policies provide coverage for loss of business revenues. Defendants accepted premiums for such coverage and now, when the critical time of need has arrived for their insureds, they refuse to provide the coverage for their restaurant and bar policyholders.

20. At all times mentioned herein, the Policies sold by Defendants provide coverage for the restaurants/premises for loss of business revenues and the physical loss of that money. The income not arriving was as physical as it can get and the very reason for the purchase of the insurance offered for sale by Defendants.

21. Plaintiffs have performed all obligations imposed upon them by the policies including, but not limited to, the payment of premiums and the timely reporting of claims to the Insurer's agents.

32. Some of Defendants' policies exclude coverage "caused directly or indirectly by ... virus." Others do not. None, however, exclude coverage for damages caused by public

fear and commotion and/or governmental action implemented in an effort to prevent the arrival of the virus or to mitigate the spread of the virus as opposed to damages caused by the virus itself.

33. Some of Defendants' policies define in their exclusions a virus to be an agent that "induces disease" as opposed to causing wet or dry rot. Others do not make such a distinction and use the terms "rot" and "virus" interchangeably as if they are synonyms.

34. None of the policies define "Direct Physical Loss." It is hard to imagine that the loss of business revenues can be anything but "direct" and "physical." To be sure, money that was previously physically arriving is now not physically arriving. It was because of the possibility of these monetary physical losses that Plaintiffs chose to pay policy premiums to Defendants for decades.

FIRST CAUSE OF ACTION

(For a Declaratory Judgment, N.C.G.S. §1-253, *et seq.*)

35. Plaintiffs reallege the allegations contained above.

36. While Plaintiffs' damages continue to accrue, at this critical time a declaratory judgment is necessary to resolve a real bona fide dispute that exists between the parties (and many other claimants) regarding Defendants' vague insurance policies.


36. N.C. Gen. Stat §1-253, *et seq.* permits North Carolina courts to resolve such disputes through the entry of a declaratory judgment.

36. Plaintiffs seek such a declaration of the Court that coverage exists under the Defendants' policies for the damages caused by public fear and commotion and the governmental closures implemented as a result of the threat of the arrival and potential spread of the virus.

WHEREFORE, Plaintiffs pray the Court for the following relief:

1. That the Court declare Plaintiffs have all applicable coverages under the insurance policies sold to them by Defendants; and
2. For such other and further relief that the Court deems proper.

This the 3 day of April, 2020.



Drew Brown
Jeffrey K. Peraldo
James R. Faucher
Attorneys for Plaintiffs

FOR THE FIRM:

Brown, Faucher, Peraldo & Benson, PLLC
Greensboro Law Center
822 N. Elm St., Suite 200
Greensboro, North Carolina 27401
Telephone: (336) 478-6000
Facsimile: (336) 273-5597
drew@greensborolawcenter.com
jeff@greensborolawcenter.com
james@greensborolawcenter.com

SUILFORD-GM COUNTY CLERK OF COURT

1066478 04/03/20 12:50:18

PAYOR: NATTY GREENE'S BREWERY CO LL
PAYEE: GREENSBORO LAW CENTER
CASE#: 20CV5004461 VCAP:Y
CITA#:

21120 SC-CIVIL FEES	179.05
21124 SC-CV LAA FEES	.95
24681 JUD TECH & FAC	4.00
22120 CD-FAC FEE S CV	16.00

TOTAL PAID	200.00
CO TENDERED	200.00
CHANGE	.00

3324 ID C406AF

STATE OF NORTH CAROLINA

GUILFORD

County

File No.

20CVS 4461

In The General Court Of Justice
☐ District ☒ Superior Court Division

Name And Address Of Plaintiff 1

Natty Greene's Brewing Company, et al (see attached Complaint captioned
all c/o Brown, Faucher, Peraldo & Benson, PLLC
822 N. Elm Street, Suite 200
Greensboro NC 27401

Name And Address Of Plaintiff 2

VERSUS

Name Of Defendant 1

Travelers Casualty Insurance Company of America
c/o Nicholas Seminara, President
One Tower Square
Hartford CT 06813

Summons Submitted ☒ Yes ☐ No

Name Of Defendant 2

Travelers Indemnity Company
c/o Jay S. Fishman, President
One Tower Square
Hartford CT 06813

Summons Submitted ☒ Yes ☐ No

- ☐ Jury Demanded In Pleading
☐ Complex Litigation

FILED

GENERAL

CIVIL ACTION COVER SHEET

☒ INITIAL FILING ☐ SUBSEQUENT FILING

Rule 5(b), General Rules of Practice For Superior and District Courts

Name And Address Of Attorney Or Party, If Not Represented (complete for initial appearance or change of address)

Drew Brown
Brown, Faucher, Peraldo & Benson, PLLC
822 N. Elm Street, Suite 200
Greensboro NC 27401

Telephone No. 336-478-6000 Cellular Telephone No.
NC Attorney Bar No. 28450 Attorney E-Mail Address drew@greensborolawcenter.com

☒ Initial Appearance in Case ☐ Change of Address

Name Of Firm

Brown, Faucher, Peraldo & Benson, PLLC

FAX No.

336-273-5597

Counsel for

☒ All Plaintiffs ☐ All Defendants ☐ Only (list party(ies) represented)

- ☐ Amount in controversy does not exceed \$15,000
☐ Stipulate to arbitration

TYPE OF PLEADING

(check all that apply)

- ☐ Amend (AMND)
☐ Amended Answer/Reply (AMND-Response)
☐ Amended Complaint (AMND)
☐ Assess Costs (COST)
☐ Answer/Reply (ANSW-Response) (see Note)
☐ Change Venue (CHVN)
☒ Complaint (COMP)
☐ Confession Of Judgment (CNJF)
☐ Consent Order (CONS)
☐ Consolidate (CNSL)
☐ Contempt (CNTP)
☐ Continue (CNTN)
☐ Compel (CMPL)
☐ Counterclaim (CTCL) Assess Court Costs
☐ Crossclaim (list on back) (CRSS) Assess Court Costs
☐ Dismiss (DISM) Assess Court Costs
☐ Exempt/Waive Mediation (EXMD)
☐ Extend Statute Of Limitations, Rule 9 (ESOL)
☐ Extend Time For Complaint (EXCO)
☐ Failure To Join Necessary Party (FJNP)

(check all that apply)

- ☐ Failure To State A Claim (FASC)
☐ Implementation Of Wage Withholding In Non-IV-D Cases (OTHR)
☐ Improper Venue/Division (IMVN)
☐ Including Attorney's Fees (ATTY)
☐ Intervene (INTR)
☐ Interplead (OTHR)
☐ Lack Of Jurisdiction (Person) (LJPN)
☐ Lack Of Jurisdiction (Subject Matter) (LJSM)
☐ Modification Of Child Support In IV-D Actions (MSUP)
☐ Notice Of Dismissal With Or Without Prejudice (VOLD)
☐ Petition To Sue As Indigent (OTHR)
☐ Rule 12 Motion In Lieu Of Answer (MDLA)
☐ Sanctions (SANC)
☐ Set Aside (OTHR)
☐ Show Cause (SHOW)
☐ Transfer (TRFR)
☐ Third Party Complaint (list Third Party Defendants on back) (TPCL)
☐ Vacate/Modify Judgment (VCMD)
☐ Withdraw As Counsel (WDCN)
☐ Other (specify and list each separately)

NOTE: All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts, and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must either include a General Civil (AOC-CV-751), Motion (AOC-CV-752), or Court Action (AOC-CV-753) cover sheet.

AOC-CV-751, Rev. 1/14

(Over)

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CLAIMS FOR RELIEF

- | | | |
|--|---|--|
| <input type="checkbox"/> Administrative Appeal (ADMA) | <input type="checkbox"/> Limited Driving Privilege - Out-Of-State | <input type="checkbox"/> Product Liability (PROD) |
| <input type="checkbox"/> Appointment Of Receiver (APRC) | <input type="checkbox"/> Convictions (PLDP) | <input type="checkbox"/> Real Property (RLPR) |
| <input type="checkbox"/> Attachment/Garnishment (ATTC) | <input type="checkbox"/> Medical Malpractice (MDML) | <input type="checkbox"/> Specific Performance (SPPR) |
| <input type="checkbox"/> Claim And Delivery (CLMD) | <input type="checkbox"/> Minor Settlement (MSTL) | <input checked="" type="checkbox"/> Other (specify and list each separately) |
| <input type="checkbox"/> Collection On Account (ACCT) | <input type="checkbox"/> Money Owed (MNYO) | Declaratory Judgment |
| <input type="checkbox"/> Condemnation (CNDM) | <input type="checkbox"/> Negligence - Motor Vehicle (MVNG) | |
| <input type="checkbox"/> Contract (CNTR) | <input type="checkbox"/> Negligence - Other (NEGO) | |
| <input type="checkbox"/> Discovery Scheduling Order (DSCH) | <input type="checkbox"/> Motor Vehicle Lien G.S. 44A (MVLN) | |
| <input type="checkbox"/> Injunction (INJU) | <input type="checkbox"/> Possession Of Personal Property (POPP) | |

Date

4/3/20

Signature Of Attorney/Party

[Signature]

FEES IN G.S. 7A-308 APPLY

Assert Right Of Access (ARAS)
Substitution Of Trustee (Judicial Foreclosure) (RSOT)
Supplemental Procedures (SUPR)

PRO HAC VICE FEES APPLY

Motion For Out-Of-State Attorney To Appear In NC Courts In A Civil Or Criminal Matter (Out-Of-State Attorney/Pro Hac Vice Fee)

No. ☐ Additional Plaintiff(s)

No. ☒ Additional Defendant(s) ☐ Third Party Defendant(s)

Summons Submitted

3	Sentinel Insurance Company	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4	Utica National Insurance Group	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5	Frankenmuth Mutual Insurance Company	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6	State Automobile Mutual Insurance Company	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

Plaintiff(s) Against Whom Counterclaim Asserted

Defendant(s) Against Whom Crossclaim Asserted

YM
YOUNG MOORE
ATTORNEYS

Matthew J. Gray
Matt.Gray@youngmoorelaw.com
After Hours Ext. 106
Direct Dial: 919-861-5106

Jennifer L. Campbell
Paralegal
Jennifer.Campbell@youngmoorelaw.com
Direct Dial: 919-861-5016

April 7, 2020

20 CVS 4461

[Via Federal Express]
Ms. Tasha Harrell
Clerk of Court
201 South Eugene Street
Greensboro, NC 27401

RE: *Natty Greene's Brewing Co. LLC et al v. Traveler's Casualty Ins. et al.*
Guilford County, 20 CVS 4461

Dear Ms. Harrell:

I am writing to request a copy of the complaint in the above referenced matter. Per your instruction, enclosed is a check in the amount of \$3.50 and a self-addressed postage prepaid FedEx overnight return label and package.

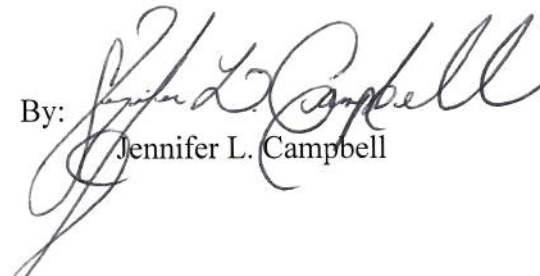
We appreciate your help with this matter.

With best regards, we are

Sincerely yours,

YOUNG MOORE AND HENDERSON, P.A.

By:


Jennifer L. Campbell

/jlc
Enclosures: as stated
001324-021/4958775

YOUNG MOORE AND HENDERSON, P.A.
POST OFFICE BOX 31627, RALEIGH, NC 27622
3101 GLENWOOD AVENUE, STE. 200, RALEIGH, NC 27612
(O) 919.782.6860 (F) 919.782.6753

youngmoorelaw.com

Sent
APR 14 2020

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 CVS 4461

2020 APR -9 12 39

NATTY GREENE'S BREWING COMPANY, LLC, NATTY GREENE'S DOWNTOWN, LLC, EJE, INC. d/b/a CAFE PASTA, NATTY GREENE'S CREEKSIDE, LLC d/b/a KAU, JAKE'S DINER OF WENDOVER, INC. d/b/a JAKE'S DINER, DAAB, INC. d/b/a JAKE'S DINER, JAKE'S OF DRAWBRIDGE, INC. d/b/a JAKE'S DINER, JAKE'S OF BATTLEGROUND, LLC d/b/a JAKE'S DINER, RIO GRANDE #14, INC d/b/a RIO GRANDE MEXICAN KITCHEN, RIOS, INC. d/b/a RIO GRANDE MEXICAN KITCHEN and RIO GRANDE FRIENDLY, INC. d/b/a RIO GRANDE MEXICAN KITCHEN,

Plaintiffs,

v.

TRAVELER'S CASUALTY INSURANCE COMPANY OF AMERICA, TRAVELER'S INDEMNITY COMPANY, SENTINEL INSURANCE COMPANY, LIMITED, UTICA NATIONAL INSURANCE GROUP, FRANKENMUTH MUTUAL INSURANCE COMPANY and STATE AUTOMOBILE MUTUAL INSURANCE COMPANY,

Defendants.

FIRST AMENDED COMPLAINT

NOW COME Plaintiffs and file this Complaint and allege and say:

PARTIES & JURISDICTION

1. Plaintiffs are entities that own and operate restaurants and bars in Guilford County, North Carolina.

2. At all times mentioned herein, Defendants were licensed to do business in the State of North Carolina, selling business owners, property and casualty insurance policies to bars, restaurants, caterers, banquet halls, and other hospitality businesses.
3. Each of the defendants sold an insurance policy effective at all relevant times to at least one of the plaintiffs which provided applicable insurance coverage as alleged herein.
4. This Court has jurisdiction over this matter because all named Plaintiffs are residents of Guilford County and each of the defendants sold insurance products to them in this county.
5. The Centers for Disease Control and the World Health Organization ("WHO") have for years been warning about the possibility of an airborne virus that could cause a worldwide scare and pandemic.
6. Coronavirus (COVID-19) (hereinafter "the virus") is a highly contagious airborne virus that has rapidly spread and continues to spread across the World. The fear that it would arrive and spread in the United States was particularly great throughout March, 2020 and, eventually, it did arrive.
7. WHO has declared the virus to be a pandemic.
8. The fear of the COVID-19 pandemic is a crisis that has impacted American life on a massive scale including the public's ability to congregate in bars and restaurants.
9. In an effort to prevent the virus from arriving, and then from further spreading, federal and state authorities have mandated social distancing and have greatly limited the number of people who can gather in any given setting.
10. Greensboro restaurants and bars were poised to seize on the positive economic impact of both the Atlantic Coast Conference ("ACC") and National Collegiate Athletic

Association (“NCAA”) basketball tournaments that were to be hosted at the Greensboro Coliseum.

11. Businesses had been planning and investing for years to reap the economic benefits from the two week period from March 9-21, 2020.

12. In particular, Natty Greene’s Brewing Company, LLC had its new location directly across from the Greensboro Coliseum and was prepared and ready to seize the opportunity to earn its necessary operating revenue for the year.

13. Crowds began to fill Greensboro restaurants and bars leading up to and at the beginning of the ACC Tournament.

14. On Wednesday, March 11, 2020, public fear and commotion that the virus would arrive and spread caused the Atlantic Coast Conference to order fans to not to attend the ACC Tournament on the following day.

15. On Thursday, March 12, 2020, the Atlantic Coast Conference cancelled the tournament. The NCAA quickly followed suit.

16. In an effort to prevent the arrival and spread of the virus at locations throughout the State, North Carolina Governor Roy Cooper on March 17, 2020 issued Executive Order No. 118 which ordered the complete closure of the “dine-in” portion of restaurants for the plaintiffs. Furthermore, Governor Cooper’s order was clear: “Bars are directed to close.” A violation of the Order was deemed by the Governor to be a crime.

17. On March 27, 2020, Governor Cooper issued Executive Order No. 121 that: (a) directs North Carolina residents to stay in their homes except when performing “essential” activities; (b) prohibits gatherings of 10 or more people; and (c) requires “non-essential” businesses to cease operations. Governor Cooper did not issue this Order because of

damages being caused by the virus itself, but instead to “mitigate community spread” of the virus, i.e., to prevent or minimized damages potentially caused by the virus. However, the Governor’s Order and the fear and commotion created an entirely different category of damages for the plaintiffs.

18. Public fear and commotion and, significantly, the governmental actions and closures implemented because of and in response to the threat of the virus have caused Plaintiffs to incur significant financial losses and damages.

19. Since that date of Governor Cooper’s Order, countless North Carolina bar and restaurant operators, among other businesses, have made claims under their business owner, property and casualty insurance policies to recover the business revenues they have lost, and continue to lose, as a result of the public fear and commotion concerning the virus, the closures implemented to prevent the arrival and spread of the virus and Governor Cooper’s Executive Order.

20. Insurers, including Defendants, have denied every or nearly every claim for lost business revenues by claiming their insureds have no coverage for various incorrect reasons. The policies provide coverage for loss of business revenues. Defendants accepted premiums for such coverage and now, when the critical time of need has arrived for their insureds, they refuse to provide the coverage for their restaurant and bar policyholders.

21. At all times mentioned herein, the insurance policies sold by Defendants provide coverage for the plaintiff restaurants/premises for loss of business revenues and the physical loss of that money. The income not arriving was as physical as it can get and the very reason for the purchase of the insurance offered for sale by Defendants.

22. Plaintiffs have performed all obligations imposed upon them by the policies including, but not limited to, the payment of premiums and the timely reporting of claims to the Insurer's agents.

23. Some of Defendants' policies exclude coverage "caused directly or indirectly by ... virus." Others do not. None, however, exclude coverage for damages caused by public fear and commotion and/or governmental action implemented in an effort to prevent the arrival of the virus or to mitigate the spread of the virus as opposed to damages caused by the virus itself.

24. Some of Defendants' policies define in their exclusions a virus to be an agent that "induces disease" as opposed to causing wet or dry rot. Others do not make such a distinction and use the terms "rot" and "virus" interchangeably as if they are synonyms.

25. None of the policies define "Direct Physical Loss." It is hard to imagine that the loss of business revenues can be anything but "direct" and "physical." To be sure, money that was previously physically arriving is now not physically arriving. It was because of the possibility of these monetary physical losses that Plaintiffs chose to pay policy premiums to Defendants for decades.

FIRST CAUSE OF ACTION

(For a Declaratory Judgment, N.C.G.S. §1-253, *et seq.*)

26. Plaintiffs reallege the allegations contained above.

27. While Plaintiffs' damages continue to accrue, at this critical time a declaratory judgment is necessary to resolve a real bona fide dispute that exists between the parties (and many other claimants) regarding Defendants' vague insurance policies.

28. N.C. Gen. Stat §1-253, *et seq.* permits North Carolina courts to resolve such disputes through the entry of a declaratory judgment.

29. Plaintiffs seek such a declaration of the Court that coverage exists under the Defendants' policies for the damages caused by public fear and commotion and the governmental closures implemented as a result of the threat of the arrival and potential spread of the the virus.

SECOND CAUSE OF ACTION

(For Breach of Contract)

30. Plaintiffs reallege the allegations contained above.

31. Defendants entered into a contract with Plaintiffs as alleged herein for which Plaintiffs have paid policy premiums.

32. Defendants have breached those contracts by not paying what they owe to Plaintiffs pursuant to the policies/contracts entered into between the parties.

33. Although each Plaintiff's damages from the breaches are ongoing they have to date already suffered significant damages.

34. Plaintiffs have each been damaged as a result of the breach of contract by the Defendant with which they have entered into a contract and are entitled to recover in excess of \$25,000.

WHEREFORE, Plaintiffs pray the Court for the following relief:

1. That the Court declare Plaintiffs have all applicable coverages under the insurance policies sold to them by Defendants;
2. Compensatory Damages in excess of \$25,000;
3. Costs and pre and post-judgment interest as permitted by North Carolina law; and
4. For such other and further relief that the Court deems proper.

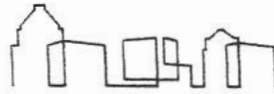
This the 8th day of April, 2020.



Drew Brown
Jeffrey K. Peraldo
James R. Faucher
Attorneys for Plaintiffs

FOR THE FIRM:

Brown, Faucher, Peraldo & Benson, PLLC
Greensboro Law Center
822 N. Elm St., Suite 200
Greensboro, North Carolina 27401
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drew@greensborolawcenter.com
jeff@greensborolawcenter.com
james@greensborolawcenter.com



Greensboro Law Center

DREW BROWN
JAMES R. FAUCHER
JEFFREY K. PERALDO
ROBERT A. BENSON
CONSTANCE A. HARRIS

BROWN, FAUCHER, PERALDO & BENSON, PLLC
ATTORNEYS AT LAW

822 N. ELM STREET, SUITE 200
GREENSBORO, NC 27401

TELEPHONE:
(336) 478-6000

FACSIMILE:
(336) 273-5597

April 23, 2020

Guilford County Clerk of Superior Court
Guilford County Courthouse - Civil Filings
Post Office Box 3008
Greensboro, NC 27402

RE: Natty Greene's Brewing Company, LLC, et al. v.
Traveler's Casualty Insurance Company of America, et al.
Guilford County File No: 20 CVS 4461

Dear Sir/Madam:

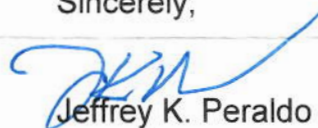
Please find enclosed for filing with the Court:

- 1) Affidavit of Service

I respectfully ask that you file the Affidavit of Service. Once done, I ask that you return a stamped filed copy of the Affidavit of Service to me using the enclosed envelope.

Thank you very much. If there are any questions or concerns, please contact me directly.

Sincerely,



Jeffrey K. Peraldo

JKP:ref
enc.

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 CVS 4461

2020 APR 27 P 3:14

NATTY GREENE'S BREWING
COMPANY, LLC; NATTY GREENE'S
DOWNTOWN, LLC, EJE, INC. d/b/a CAFE
PASTA, NATTY GREENE'S CREEKSIDE,
LLC d/b/a KAU, JAKE'S DINER OF
WENDOVER, INC. d/b/a JAKE'S DINER,
DAAB, INC. d/b/a JAKE'S DINER, JAKE'S
OF DRAWBRIDGE, INC. d/b/a JAKE'S
DINER, JAKE'S OF BATTLEGROUND,
LLC d/b/a JAKE'S DINER, RIO GRANDE
#14, INC d/b/a RIO GRANDE MEXICAN
KITCHEN, RIOS, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN and RIO GRANDE
FRIENDLY, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN,

Plaintiffs,

v.

TRAVELER'S CASUALTY INSURANCE
COMPANY OF AMERICA, TRAVELER'S
INDEMNITY COMPANY, SENTINEL
INSURANCE COMPANY, LIMITED,
UTICA NATIONAL INSURANCE GROUP,
FRANKENMUTH MUTUAL INSURANCE
COMPANY and STATE AUTOMOBILE
MUTUAL INSURANCE COMPANY.

Defendants.

AFFIDAVIT OF SERVICE


Jeffrey K. Peraldo, being first duly sworn, deposes and says:

1. I am the attorney for the Plaintiffs in this pending civil action.
2. Copies of the Civil Summons and the Complaint were deposited in the U. S. Post Office, postage prepaid, on April 10, 2020 by certified mail, return receipt requested for service upon Defendant FRANKENMUTH MUTUAL INSURANCE COMPANY.
3. The copies of the Civil summons and Complaint were mailed to:

FRANKENMUTH MUTUAL INSURANCE COMPANY
By serving its President Frederick A. Edmond, Jr.
One Mutual Avenue
Frankenmuth MI 48787-0001

4. Process was in fact received on April 16, 2020 as evidenced by the attached return receipt.

This is the 23 day of April, 2020.


Jeffrey K. Peraldo
Attorney for Plaintiff

Sworn to and subscribed before
me this 23 day of April, 2020


Notary Public

My Commission Expires: 3-21-22

STATE OF NORTH CAROLINA

File No.

20 CVS 4461

GUILFORD County

In The General Court Of Justice
☐ District ☒ Superior Court Division

Name Of Plaintiff

Natty Greene's Brewing Company, et al (see attached Complaint ca+)

Address

all c/o 822 N. Elm Street, Suite 200

City, State, Zip

Greensboro

NC 27401

VERSUS

CIVIL SUMMONS

☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rules 3 and 4

Name Of Defendant(s)

Travelers Casualty Insurance Company of America; Travelers Indemnity Company; Sentinel Insurance Company, Limited; Utica National Insurance Group; Frankenmuth Mutual Insurance Company; State Automobile Mutual Insurance Company

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

Frankenmuth Mutual Insurance Company
 c/o Frederick A. Edmond, Jr., President
 One Mutual Avenue
 Frankenmuth MI 48787-0001

Name And Address Of Defendant 2

State Automobile Mutual Insurance Company
 c/o Michael E. LaRocco, President
 518 East Broad Street
 Columbus OH 43215

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

Drew Brown
 Brown, Faucher, Peraldo & Benson, PLLC
 822 N. Elm Street, Suite 200
 Greensboro NC 27401

Date Issued

APR 03 2020

Time

12:38

☐ AM

☒ PM

Signature

Drew Brown

☒ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

☐ ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement

Time

☐ AM

☐ PM

Signature

☐ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

NOTE TO PARTIES: Many counties have **MANDATORY ARBITRATION** programs in which most cases where the amount in controversy is \$25,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

(Over)

AOC-CV-100, Rev. 6/16

© 2016 Administrative Office of the Courts

RETURN OF SERVICE

I certify that this Summons and a copy of the complaint were received and served as follows:

DEFENDANT 1

Date Served 04/16/2020	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant Frankenmuth Mutual Ins. Co.
----------------------------------	--	---

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☒ Other manner of service (specify)

Certified Mail

- ☐ Defendant WAS NOT served for the following reason:

DEFENDANT 2

Date Served	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant
-------------	--	-------------------

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☐ Other manner of service (specify)

- ☐ Defendant WAS NOT served for the following reason:

Service Fee Paid

\$

Signature Of Deputy Sheriff Making Return

Date Received

Name Of Sheriff (type or print)

Date Of Return

County Of Sheriff

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to: Frankenmuth Mutual Ins. Co. c/o Frederick A. Edmond, its President One Mutual Avenue Frankenmuth MI 48787-0001</p>		<p>B. Received by (Printed Name) [Signature] C. Date of Delivery 4-16-20</p>	
<p>2. Article Number (Transfer from service label) 7020 0090 0001 7452 7613</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>Barcode: 9590 9402 5111 9092 3134 23</p>		<p>3. Service Type <input type="checkbox"/> Adult Signature <input checked="" type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>	
		<p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt



Greensboro Law Center

DREW BROWN
JAMES R. FAUCHER
JEFFREY K. PERALDO
ROBERT A. BENSON
CONSTANCE A. HARRIS

BROWN, FAUCHER, PERALDO & BENSON, PLLC
ATTORNEYS AT LAW

822 N. ELM STREET, SUITE 200
GREENSBORO, NC 27401

TELEPHONE:
(336) 478-6000

FACSIMILE:
(336) 273-5597

April 23, 2020

FILED
2020 APR 27 P 12:18
GUILFORD CO., N.C.
BY *asw*

Guilford County Clerk of Superior Court
Guilford County Courthouse - Civil Filings
Post Office Box 3008
Greensboro, NC 27402

RE: Natty Greene's Brewing Company, LLC, et al. v.
Traveler's Casualty Insurance Company of America, et al.
Guilford County File No: 20 CVS 4461

Dear Sir/Madam:

Please find enclosed for filing with the Court:

- 1) Affidavit of Service

I respectfully ask that you file the Affidavit of Service. Once done, I ask that you return a stamped filed copy of the Affidavit of Service to me using the enclosed envelope.

Thank you very much. If there are any questions or concerns, please contact me directly.

Sincerely,

Jeffrey K. Peraldo

JKP:ref
enc.

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 CVS 4461

FILED

2020 APR 27 P 12:18

NATTY GREENE'S BREWING
COMPANY, LLC, NATTY GREENE'S
DOWNTOWN, LLC, EJE, INC. d/b/a CAFE
PASTA, NATTY GREENE'S CREEKSIDE,
LLC d/b/a KAU, JAKE'S DINER OF
WENDOVER, INC. d/b/a JAKE'S DINER,
DAAB, INC. d/b/a JAKE'S DINER, JAKE'S
OF DRAWBRIDGE, INC. d/b/a JAKE'S
DINER, JAKE'S OF BATTLEGROUND,
LLC d/b/a JAKE'S DINER, RIO GRANDE
#14, INC d/b/a RIO GRANDE MEXICAN
KITCHEN, RIOS, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN and RIO GRANDE
FRIENDLY, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN,

Plaintiffs,

v.

TRAVELER'S CASUALTY INSURANCE
COMPANY OF AMERICA, TRAVELER'S
INDEMNITY COMPANY, SENTINEL
INSURANCE COMPANY, LIMITED,
UTICA NATIONAL INSURANCE GROUP,
FRANKENMUTH MUTUAL INSURANCE
COMPANY and STATE AUTOMOBILE
MUTUAL INSURANCE COMPANY,

Defendants.

AFFIDAVIT OF SERVICE


Jeffrey K. Peraldo, being first duly sworn, deposes and says:

1. I am the attorney for the Plaintiffs in this pending civil action.
2. Copies of the Civil Summons and the Complaint were deposited in the U. S. Post Office, postage prepaid, on April 10, 2020 by certified mail, return receipt requested for service upon Defendant UTICA NATIONAL INSURANCE GROUP.
3. The copies of the Civil summons and Complaint were mailed to:

UTICA NATIONAL INSURANCE GROUP
By serving its President Richard P. Creedon
P.O. Box 530
Utica, NY 13503-053

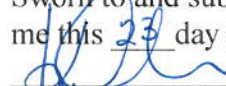
4. Process was in fact received on April 16, 2020 as evidenced by the attached return receipt.

This is the 23 day of April, 2020.

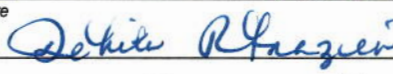


Jeffrey K. Peraldo
Attorney for Plaintiff

Sworn to and subscribed before
me this 23 day of April, 2020



Notary Public
My Commission Expires: 3-21-22

STATE OF NORTH CAROLINA		File No. 20 CVS 4461
GUILFORD County		In The General Court Of Justice <input type="checkbox"/> District <input checked="" type="checkbox"/> Superior Court Division
Name Of Plaintiff Natty Greene's Brewing Company, et al (see attached Complaint)		CIVIL SUMMONS <input type="checkbox"/> ALIAS AND PLURIES SUMMONS (ASSESS FEE) G.S. 1A-1, Rules 3 and 4
Address all c/o 822 N. Elm Street, Suite 200		
City, State, Zip Greensboro NC 27401		
VERSUS		
Name Of Defendant(s) Travelers Casualty Insurance Company of America; Travelers Indemnity Company; Sentinel Insurance Company, Limited; Utica National Insurance Group; Frankenmuth Mutual Insurance Company; State Automobile Mutual Insurance Company		Date Original Summons Issued Date(s) Subsequent Summons(es) Issued
To Each Of The Defendant(s) Named Below:		
Name And Address Of Defendant 1 Sentinel Insurance Company c/o Douglas G. Elliot, President One Hartford Plaza Hartford CT 06155		Name And Address Of Defendant 2 Utica National Insurance Group c/o Richard P. Creedon, President Post Office Box 530 Utica NY 13503-053
A Civil Action Has Been Commenced Against You! You are notified to appear and answer the complaint of the plaintiff as follows:		
1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and 2. File the original of the written answer with the Clerk of Superior Court of the county named above.		
If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.		
Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff) Drew Brown Brown, Faucher, Peraldo & Benson, PLLC 822 N. Elm Street, Suite 200 Greensboro NC 27401		Date Issued APR 03 2020 Time 12:38 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM Signature  <input checked="" type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court

<input type="checkbox"/> ENDORSEMENT (ASSESS FEE) This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.	Date Of Endorsement	Time <input type="checkbox"/> AM <input type="checkbox"/> PM
	Signature	
	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court	

NOTE TO PARTIES: Many counties have **MANDATORY ARBITRATION** programs in which most cases where the amount in controversy is \$25,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

(Over)

RETURN OF SERVICE

I certify that this Summons and a copy of the complaint were received and served as follows:

DEFENDANT 1

Date Served	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant
-------------	--	-------------------

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☐ Other manner of service (specify)

- ☐ Defendant WAS NOT served for the following reason:

DEFENDANT 2

Date Served 04/16/2020	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant Utica National Insurance Group
---------------------------	--	---

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☒ Other manner of service (specify)

Certified Mail

- ☐ Defendant WAS NOT served for the following reason:

Service Fee Paid \$	Signature Of Deputy Sheriff Making Return
Date Received	Name Of Sheriff (type or print)
Date Of Return	County Of Sheriff

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <i>D. Neulenbach</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Utica National Ins. Grp. c/o Richard P. Creedon its President P.O. Box 530 Utica, NY 13503-053</p>		<p>B. Received by (Printed Name) <i>D. Neulenbach</i> C. Date of Delivery <i>4/16/20</i></p>	
<p>2. Article Number (Transfer from service label)</p> <p>7020 0090 0001 7452 7644</p>		<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Registered Mail</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)</p>		<p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt



Greensboro Law Center

DREW BROWN
JAMES R. FAUCHER
JEFFREY K. PERALDO
ROBERT A. BENSON
CONSTANCE A. HARRIS

BROWN, FAUCHER, PERALDO & BENSON, PLLC
ATTORNEYS AT LAW

822 N. ELM STREET, SUITE 200
GREENSBORO, NC 27401

TELEPHONE:
(336) 478-6000

FACSIMILE:
(336) 273-5597

April 24, 2020

Guilford County Clerk of Superior Court
Guilford County Courthouse - Civil Filings
Post Office Box 3008
Greensboro, NC 27402

RE: Natty Greene's Brewing Company, LLC, et al. v.
Traveler's Casualty Insurance Company of America, et al.
Guilford County File No: 20 CVS 4461

Dear Sir/Madam:

Please find enclosed for filing with the Court:

- 1) Affidavit of Service

I respectfully ask that you file the Affidavit of Service. Once done, I ask that you return a stamped filed copy of the Affidavit of Service to me using the enclosed envelope.

Thank you very much. If there are any questions or concerns, please contact me directly.

Sincerely,

Jeffrey K. Peraldo

JKP:ref
enc.



Greensboro Law Center

DREW BROWN
JAMES R. FAUCHER
JEFFREY K. PERALDO
ROBERT A. BENSON
CONSTANCE A. HARRIS

BROWN, FAUCHER, PERALDO & BENSON, PLLC
ATTORNEYS AT LAW

822 N. ELM STREET, SUITE 200
GREENSBORO, NC 27401

TELEPHONE:
(336) 478-6000

FACSIMILE:
(336) 273-5597

April 24, 2020

Guilford County Clerk of Superior Court
Guilford County Courthouse - Civil Filings
Post Office Box 3008
Greensboro, NC 27402

RE: Natty Greene's Brewing Company, LLC, et al. v.
Traveler's Casualty Insurance Company of America, et al.
Guilford County File No: 20 CVS 4461

Dear Sir/Madam:

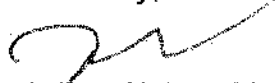
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1) Affidavit of Service

I respectfully ask that you file the Affidavit of Service. Once done, I ask that you return a stamped filed copy of the Affidavit of Service to me using the enclosed envelope.

Thank you very much. If there are any questions or concerns, please contact me directly.

Sincerely,



Jeffrey K. Peraldo

JKP:ref
enc.

APR 29 2020

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 CVS 4461

FILED

APR 29 P 1:41

NATTY GREENE'S BREWING
COMPANY, LLC, NATTY GREENE'S
DOWNTOWN, LLC, EJE, INC. d/b/a CAFE
PASTA, NATTY GREENE'S CREEKSIDE,
LLC d/b/a KAU, JAKE'S DINER OF
WENDOVER, INC. d/b/a JAKE'S DINER,
DAAB, INC. d/b/a JAKE'S DINER, JAKE'S
OF DRAWBRIDGE, INC. d/b/a JAKE'S
DINER, JAKE'S OF BATTLEGROUND,
LLC d/b/a JAKE'S DINER, RIO GRANDE
#14, INC d/b/a RIO GRANDE MEXICAN
KITCHEN, RIOS, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN and RIO GRANDE
FRIENDLY, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN,

AFFIDAVIT OF SERVICE

Plaintiffs,

v.

TRAVELER'S CASUALTY INSURANCE
COMPANY OF AMERICA, TRAVELER'S
INDEMNITY COMPANY, SENTINEL
INSURANCE COMPANY, LIMITED,
UTICA NATIONAL INSURANCE GROUP,
FRANKENMUTH MUTUAL INSURANCE
COMPANY and STATE AUTOMOBILE
MUTUAL INSURANCE COMPANY,

Defendants.

Jeffrey K. Peraldo, being first duly sworn, deposes and says:

1. I am the attorney for the Plaintiffs in this pending civil action.
2. Copies of the Civil Summons and the Complaint were deposited in the U. S. Post Office, postage prepaid, on April 10, 2020 by certified mail, return receipt requested for service upon Defendant TRAVELER'S INDEMNITY COMPANY.
3. The copies of the Civil summons and Complaint were mailed to:

TRAVELER'S INDEMNITY COMPANY
By serving its President Jay S. Fishman
One Tower Square
Hartford, CT 06813

4. Process was in fact received on April 20, 2020 as evidenced by the attached return receipt.

This is the 24 day of April, 2020.



Sworn to and subscribed before
me this 24 day of April, 2020


Notary Public

My Commission Expires: 3-21-22



Jeffrey K. Peraldo
Attorney for Plaintiff

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 CVS 4461

FILED
7:10 APR 29 P 1:35
NATTY GREENE'S BREWING
COMPANY, LLC, NATTY GREENE'S
DOWNTOWN, LLC, EJE, INC. d/b/a CAFE
PASTA, NATTY GREENE'S CREEKSIDE,
LLC d/b/a KAU, JAKE'S DINER OF
WENDOVER, INC. d/b/a JAKE'S DINER,
DAAB, INC. d/b/a JAKE'S DINER, JAKE'S
OF DRAWBRIDGE, INC. d/b/a JAKE'S
DINER, JAKE'S OF BATTLEGROUND,
LLC d/b/a JAKE'S DINER, RIO GRANDE
#14, INC d/b/a RIO GRANDE MEXICAN
KITCHEN, RIOS, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN and RIO GRANDE
FRIENDLY, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN,

Plaintiffs,

v.

TRAVELER'S CASUALTY INSURANCE
COMPANY OF AMERICA, TRAVELER'S
INDEMNITY COMPANY, SENTINEL
INSURANCE COMPANY, LIMITED,
UTICA NATIONAL INSURANCE GROUP,
FRANKENMUTH MUTUAL INSURANCE
COMPANY and STATE AUTOMOBILE
MUTUAL INSURANCE COMPANY,

Defendants.

AFFIDAVIT OF SERVICE

Jeffrey K. Peraldo, being first duly sworn, deposes and says:

1. I am the attorney for the Plaintiffs in this pending civil action.
2. Copies of the Civil Summons and the Complaint were deposited in the U. S. Post Office, postage prepaid, on April 10, 2020 by certified mail, return receipt requested for service upon Defendant TRAVELER'S CASUALTY INSURANCE COMPANY OF AMERICA.
3. The copies of the Civil Summons and Complaint were mailed to:

TRAVELER'S CASUALTY INSURANCE COMPANY OF AMERICA
By serving its President Nicholas Seminara
One Tower Square
Hartford, CT 06813

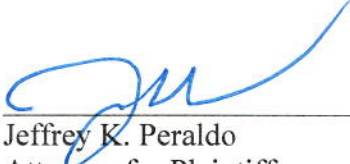
4. Process was in fact received on April 20, 2020 as evidenced by the attached return receipt.

This is the 27 day of April, 2020.


Sworn to and subscribed before
me this 27 day of April, 2020

Notary Public

My Commission Expires: 3-21-22


Jeffrey K. Peraldo
Attorney for Plaintiff



STATE OF NORTH CAROLINA _____ GUILFORD County		File No. 20 CVS 4461 In The General Court Of Justice <input type="checkbox"/> District <input checked="" type="checkbox"/> Superior Court Division
Name Of Plaintiff Natty Greene's Brewing Company, et al (see attached Complaint case)		CIVIL SUMMONS <input type="checkbox"/> ALIAS AND PLURIES SUMMONS (ASSESS FEE) G.S. 1A-1, Rules 3 and 4
Address all c/o 822 N. Elm Street, Suite 200		
City, State, Zip Greensboro NC 27401		
VERSUS		
Name Of Defendant(s) Travelers Casualty Insurance Company of America; Travelers Indemnity Company; Sentinel Insurance Company, Limited; Utica National Insurance Group; Frankenmuth Mutual Insurance Company; State Automobile Mutual Insurance Company		Date Original Summons Issued Date(s) Subsequent Summons(es) Issued
To Each Of The Defendant(s) Named Below:		
Name And Address Of Defendant 1 Travelers Casualty Insurance Company of America c/o Nicholas Seminara, President One Tower Square Hartford CT 06813	Name And Address Of Defendant 2 Travelers Indemnity Company c/o Jay S. Fishman, President One Tower Square Hartford CT 06813	
A Civil Action Has Been Commenced Against You! You are notified to appear and answer the complaint of the plaintiff as follows:		
1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and 2. File the original of the written answer with the Clerk of Superior Court of the county named above.		
If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.		
Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff) Drew Brown Brown, Faucher, Peraldo & Benson, PLLC 822 N. Elm Street, Suite 200 Greensboro NC 27401	Date Issued APR 11 8 2016 Signature 	Time 12:38 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM <input checked="" type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court
<input type="checkbox"/> ENDORSEMENT (ASSESS FEE) This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.	Date Of Endorsement Signature <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court	Time <input type="checkbox"/> AM <input type="checkbox"/> PM
NOTE TO PARTIES: Many counties have MANDATORY ARBITRATION programs in which most cases where the amount in controversy is \$25,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.		
(Over)		
AOC-CV-100, Rev. 6/16 © 2016 Administrative Office of the Courts		

RETURN OF SERVICE

I certify that this Summons and a copy of the complaint were received and served as follows:

DEFENDANT 1

Date Served 04/20/2020	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant Travelers Casualty Ins. Co. of America
---------------------------	--	---

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☒ Other manner of service (specify)

Certified Mail

- ☐ Defendant WAS NOT served for the following reason:

DEFENDANT 2

Date Served	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant
-------------	--	-------------------

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☐ Other manner of service (specify)

- ☐ Defendant WAS NOT served for the following reason:

Service Fee Paid
\$

Signature Of Deputy Sheriff Making Return

Date Received

Name Of Sheriff (type or print)

Date Of Return

County Of Sheriff

STATE OF NORTH CAROLINA

File No.

20 CVS 4461

GUILFORD

County

In The General Court Of Justice
☐ District ☒ Superior Court Division

Name Of Plaintiff

Natty Greene's Brewing Company, et al (see attached Complaint ca+)

Address

all c/o 822 N. Elm Street, Suite 200

City, State, Zip

Greensboro

NC

27401

VERSUS

CIVIL SUMMONS

☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rules 3 and 4

Name Of Defendant(s)

Travelers Casualty Insurance Company of America; Travelers Indemnity Company; Sentinel Insurance Company, Limited; Utica National Insurance Group; Frankenmuth Mutual Insurance Company; State Automobile Mutual Insurance Company

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

Travelers Casualty Insurance Company of America
c/o Nicholas Seminara, President
One Tower Square
Hartford CT 06813

Name And Address Of Defendant 2

Travelers Indemnity Company
c/o Jay S. Fishman, President
One Tower Square
Hartford CT 06813

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

Drew Brown
Brown, Faucher, Peraldo & Benson, PLLC
822 N. Elm Street, Suite 200
Greensboro NC 27401

Date Issued

APR 08 2020

Signature

Debra R. Ruzier

Time

12:38

☐ AM

☒ PM

☒ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

☐ ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement

Time

☐ AM

☐ PM

Signature

☐ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

NOTE TO PARTIES: Many counties have **MANDATORY ARBITRATION** programs in which most cases where the amount in controversy is \$25,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

(Over)

AOC-CV-100, Rev. 6/16

© 2016 Administrative Office of the Courts

RETURN OF SERVICE

I certify that this Summons and a copy of the complaint were received and served as follows:

DEFENDANT 1

Date Served	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant
-------------	--	-------------------

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☐ Other manner of service (specify)

- ☐ Defendant WAS NOT served for the following reason:

DEFENDANT 2

Date Served 04/20/2020	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant Travelers Indemnity Co.
---------------------------	--	--

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☒ Other manner of service (specify)

Certified Mail

- ☐ Defendant WAS NOT served for the following reason:

Service Fee Paid \$	Signature Of Deputy Sheriff Making Return
Date Received	Name Of Sheriff (type or print)
Date Of Return	County Of Sheriff

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <i>Greg Ogonoski</i> <i>Travelers Indemnity Co.</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to: Travelers Casualty Ins. Co. of America c/o Nicholas Seminara its President One Tower Square Hartford, CT 06813</p>		<p>B. Received by (Printed Name) </p>	<p>C. Date of Delivery </p>
<p>2. Article Number (If) 7020 0090</p>		<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below: </p>	
<p>9590 9402 5111 9092 3133 93</p>		<p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p>	
<p>PS Form 3811, July 2000</p>			

H·P·B
HUFF POWELL BAILEY
www.huffpowellbailey.com

Huff, Powell & Bailey, PLLC | **RALEIGH** | 3737 Glenwood Avenue, Suite 370, Raleigh, North Carolina 27612 | T (984) 238-2380 | F (404) 892-4033
Deanna Drew Lineback, Certified Paralegal | D (984) 238-2377 | E dlineback@huffpowellbailey.com

April 27, 2020

VIA FEDEX OVERNIGHT

Guilford Co. Clerk of Court
Civil Superior Division
201 South Eugene St.
Greensboro, NC 27401

2020 APR 28 A 11:50
FILED
CLERK OF COURT
JULIA S. C.


RE: Natty Greene's, et al. v. Utica National, et al.
Our File No.: 0400.0001
Civil Action No.: 20 CVS 4461

Dear Sir or Madam:

I have enclosed a Notice of Appearance on behalf of Defendant Utica National. Please file and return the copy to me in the enclosed envelope.

Should you have any questions, please contact me. Thank you very much.

Sincerely,


Deanna D. Lineback, CP, NCCP
Certified Paralegal

/ddl
enclosure

cc: Drew Brown/Jeffrey Peraldo/James Faucher

LJS

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

FILED 20 CVS 4461

NATTY GREENE'S BREWING
COMPANY, LLC, NATTY GREENE'S
DOWNTOWN, LLC, EJE, INC. d/b/a CAFE
PASTA, NATTY GREENE'S CREEKSIDE,
LLC d/b/a KAU, JAKE'S DINER OF
WENDOVER, INC. d/b/a JAKE'S DINER,
DAAB, INC. d/b/a JAKE'S DINER, JAKE'S
OF DRAWBRIDGE, INC. d/b/a JAKE'S
DINER, JAKE'S OF BATTLEGROUND,
LLC d/b/a JAKE'S DINER, RIO GRANDE
#14, INC. d/b/a RIO GRANDE MEXICAN
KITCHEN, RIOS, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN and RIO GRANDE
FRIENDLY, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN,

Plaintiffs,

v.

TRAVELER'S CASUALTY INSURANCE
COMPANY OF AMERICA, TRAVELER'S
INDEMNITY COMPANY, SENTINEL
INSURANCE COMPANY, LIMITED,
UTICA NATIONAL INSURANCE GROUP,
FRANKENMUTH MUTUAL INSURANCE
COMPANY and STATE AUTOMOBILE
MUTUAL INSURANCE COMPANY,

Defendants.

NOTICE OF APPEARANCE

OTHR

PLEASE TAKE NOTICE that Pankaj K. Shere, Joshua M. Hiller, and the law firm Huff,
Powell & Bailey, PLLC hereby give notice of appearance in this case as counsel of record for
Defendant Utica National Insurance Group.

This the 27 day of April, 2020.

HUFF POWELL & BAILEY, PLLC

BY: 

P.K. Shere, State Bar No. 30675

Joshua Hiller, State Bar No. 39010

3737 Glenwood Ave., Ste. 370

Raleigh, NC 27612-5505

404.892.4022 (main)

jhiller@huffpowellbailey.com (e-mail)

pkshere@huffpowellbailey.com (email)

*Attorneys for Defendant Utica National
Insurance Group*

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the attached Notice of Appearance on all of the parties to this cause by:

- ☐ Hand delivering a copy hereof to the attorney for each said party addressed as follows:
- ☒ Depositing a copy hereof, postage prepaid, in the United States Mail, addressed to the attorney for each said party as follows:
- ☐ Depositing a copy hereof with a nationally recognized overnight courier service, for overnight delivery, addressed to the attorney for each said party as follows:
- ☐ Telecopying a copy hereof to the attorney for each said party as follows:

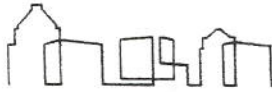
Drew Brown
Jeffrey K. Peraldo
James R. Faucher
Brown, Faucher, Peraldo & Benson, PLLC
Greensboro Law Center
822 N. Elm St., Suite 200
Greensboro, NC 27401

This the 27 day of April, 2020.

HUFF POWELL & BAILEY, PLLC

BY: 

Joshua Hiller



Greensboro Law Center

DREW BROWN
JAMES R. FAUCHER
JEFFREY K. PERALDO
ROBERT A. BENSON
CONSTANCE A. HARRIS

BROWN, FAUCHER, PERALDO & BENSON, PLLC
ATTORNEYS AT LAW

822 N. ELM STREET, SUITE 200
GREENSBORO, NC 27401

TELEPHONE:
(336) 478-6000

FACSIMILE:
(336) 273-5597

April 27, 2020

Guilford County Clerk of Superior Court
Guilford County Courthouse - Civil Filings
Post Office Box 3008
Greensboro, NC 27402

RE: Natty Greene's Brewing Company, LLC, et al. v.
Traveler's Casualty Insurance Company of America, et al.
Guilford County File No: 20 CVS 4461

Dear Sir/Madam:

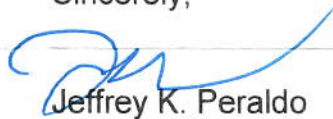
Please find enclosed for filing with the Court:

- 1) Affidavit of Service

I respectfully ask that you file the Affidavit of Service. Once done, I ask that you return a stamped filed copy of the Affidavit of Service to me using the enclosed envelope.

Thank you very much. If there are any questions or concerns, please contact me directly.

Sincerely,



Jeffrey K. Peraldo

JKP:ref
enc.

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 CVS 4461

NATTY GREENE'S BREWING
COMPANY, LLC, NATTY GREENE'S
DOWNTOWN, LLC, EJE, INC. d/b/a CAFE
PASTA, NATTY GREENE'S CREEKSIDE,
LLC d/b/a KAU, JAKE'S DINER OF
WENDOVER, INC. d/b/a JAKE'S DINER,
DAAB, INC. d/b/a JAKE'S DINER, JAKE'S
OF DRAWBRIDGE, INC. d/b/a JAKE'S
DINER, JAKE'S OF BATTLEGROUND,
LLC d/b/a JAKE'S DINER, RIO GRANDE
#14, INC d/b/a RIO GRANDE MEXICAN
KITCHEN, RIOS, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN and RIO GRANDE
FRIENDLY, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN,

Plaintiffs,

v.

TRAVELER'S CASUALTY INSURANCE
COMPANY OF AMERICA, TRAVELER'S
INDEMNITY COMPANY, SENTINEL
INSURANCE COMPANY, LIMITED,
UTICA NATIONAL INSURANCE GROUP,
FRANKENMUTH MUTUAL INSURANCE
COMPANY and STATE AUTOMOBILE
MUTUAL INSURANCE COMPANY,

Defendants.

AFFIDAVIT OF SERVICE

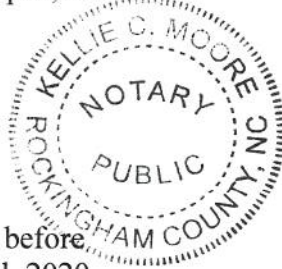
Jeffrey K. Peraldo, being first duly sworn, deposes and says:

1. I am the attorney for the Plaintiffs in this pending civil action.
2. Copies of the Civil Summons and the Complaint were deposited in the U. S. Post Office, postage prepaid, on April 10, 2020 by certified mail, return receipt requested for service upon Defendant SENTINEL INSURANCE COMPANY.
3. The copies of the Civil summons and Complaint were mailed to:

SENTINEL INSURANCE COMPANY
By serving its President Douglas G. Elliot
One Hartford Plaza
Hartford, CT 06155

4. Process was in fact received on April 20, 2020 as evidenced by the attached return receipt.

This is the 24 day of April, 2020.




Sworn to and subscribed before
me this 24 day of April, 2020



Notary Public

My Commission Expires: 3-21-22



Jeffrey K. Peraldo
Attorney for Plaintiff

STATE OF NORTH CAROLINA

File No.

20 CVS 4461

GUILFORD

County

In The General Court Of Justice

☐ District ☒ Superior Court Division

Name Of Plaintiff

Natty Greene's Brewing Company, et al (see attached Complaint c: 2)

Address

all c/o 822 N. Elm Street, Suite 200

City, State, Zip

Greensboro NC 27401

VERSUS

Name Of Defendant(s)

Travelers Casualty Insurance Company of America; Travelers Indemnity Company; Sentinel Insurance Company, Limited; Utica National Insurance Group; Frankenthuth Mutual Insurance Company; State Automobile Mutual Insurance Company

CIVIL SUMMONS

☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rules 3 and 4

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

Sentinel Insurance Company
c/o Douglas G. Elliot, President
One Hartford Plaza
Hartford CT 06155

Name And Address Of Defendant 2

Utica National Insurance Group
c/o Richard P. Creedon, President
Post Office Box 530
Utica NY 13503-053

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

Drew Brown
Brown, Faucher, Peraldo & Benson, PLLC
822 N. Elm Street, Suite 200
Greensboro NC 27401

Date Issued

APR 03 2020

Time

12:38

☐ AM ☒ PM

Signature

Drew Brown

☒ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court

☐ ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement

Time

☐ AM ☐ PM

Signature

☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court

NOTE TO PARTIES: Many counties have **MANDATORY ARBITRATION** programs in which most cases where the amount in controversy is \$25,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

(Over)

AOC-CV-100, Rev. 6/16

© 2016 Administrative Office of the Courts

RETURN OF SERVICE

I certify that this Summons and a copy of the complaint were received and served as follows:

DEFENDANT 1

Date Served

04/20/2020

Time Served

☐ AM☐ PM

Name Of Defendant

Sentinel Insurance Co.

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

☒ Other manner of service (specify)

Certified Mail

☐ Defendant WAS NOT served for the following reason:**DEFENDANT 2**

Date Served

Time Served

☐ AM☐ PM

Name Of Defendant

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

☐ Other manner of service (specify)☐ Defendant WAS NOT served for the following reason:

Service Fee Paid

\$

Signature Of Deputy Sheriff Making Return

Date Received

Name Of Sheriff (type or print)

Date Of Return

County Of Sheriff

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to: Sentinel Ins. Co. c/o Douglas G. Elliot its President One Hartford Plaza Hartford CT 06155</p>		<p>A. Signature X <i>Math. Metacraft</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
		B. Received by (Printed Name)	C. Date of Delivery
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: APR 20 2020 No</p>	
<p>2. Article Number (TI) 020 0090 01</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for</p>	
<p>9590 9402 5111 9092 3134 54</p>			
<p>PS Form 3811, July 2010 PSN 7500-02-000-9000</p>		<p>DOMESTIC RETURN RECEIPT</p>	



Greensboro Law Center

DREW BROWN
JAMES R. FAUCHER
JEFFREY K. PERALDO
ROBERT A. BENSON
CONSTANCE A. HARRIS

BROWN, FAUCHER, PERALDO & BENSON, PLLC
ATTORNEYS AT LAW

822 N. ELM STREET, SUITE 200
GREENSBORO, NC 27401

TELEPHONE:
(336) 478-6000

FACSIMILE:
(336) 273-5597

April 27, 2020

Guilford County Clerk of Superior Court
Guilford County Courthouse - Civil Filings
Post Office Box 3008
Greensboro, NC 27402

RE: Natty Greene's Brewing Company, LLC, et al. v.
Traveler's Casualty Insurance Company of America, et al.
Guilford County File No: 20 CVS 4461

Dear Sir/Madam:

Please find enclosed for filing with the Court:

- 1) Affidavit of Service

I respectfully ask that you file the Affidavit of Service. Once done, I ask that you return a stamped filed copy of the Affidavit of Service to me using the enclosed envelope.

Thank you very much. If there are any questions or concerns, please contact me directly.

Sincerely,



Jeffrey K. Peraldo

JKP:ref
enc.

APR 23 2020

NORTH CAROLINA

GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 CVS 4461

FILED
APR 29 P 1:44
NATTY GREENE'S BREWING
COMPANY, LLC, NATTY GREENE'S
DOWNTOWN, LLC, EJE, INC. d/b/a CAFE
PASTA, NATTY GREENE'S CREEKSIDE,
LLC d/b/a KAU, JAKE'S DINER OF
WENDOVER, INC. d/b/a JAKE'S DINER,
DAAB, INC. d/b/a JAKE'S DINER, JAKE'S
OF DRAWBRIDGE, INC. d/b/a JAKE'S
DINER, JAKE'S OF BATTLEGROUND,
LLC d/b/a JAKE'S DINER, RIO GRANDE
#14, INC d/b/a RIO GRANDE MEXICAN
KITCHEN, RIOS, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN and RIO GRANDE
FRIENDLY, INC. d/b/a RIO GRANDE
MEXICAN KITCHEN,

AFFIDAVIT OF SERVICE

Plaintiffs,

v.

TRAVELER'S CASUALTY INSURANCE
COMPANY OF AMERICA, TRAVELER'S
INDEMNITY COMPANY, SENTINEL
INSURANCE COMPANY, LIMITED,
UTICA NATIONAL INSURANCE GROUP,
FRANKENMUTH MUTUAL INSURANCE
COMPANY and STATE AUTOMOBILE
MUTUAL INSURANCE COMPANY,

Defendants.

Jeffrey K. Peraldo, being first duly sworn, deposes and says:

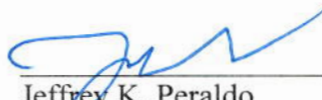
1. I am the attorney for the Plaintiffs in this pending civil action.
2. Copies of the Civil Summons and the Complaint were deposited in the U. S. Post Office, postage prepaid, on April 10, 2020 by certified mail, return receipt requested for service upon Defendant STATE AUTOMOBILE MUTUAL INSURANCE COMPANY.
3. The copies of the Civil summons and Complaint were mailed to:

STATE AUTOMOBILE MUTUAL INSURANCE COMPANY

By serving its President Michael E. LaRocco
518 East Broad Street
Columbus, OH 43215

4. Process was in fact received on April 20, 2020 as evidenced by the attached return receipt.

This is the 27 day of April, 2020.



Jeffrey K. Peraldo
Attorney for Plaintiff

Sworn to and subscribed before
me this 27 day of April, 2020



Notary Public

My Commission Expires: 3-21-22



STATE OF NORTH CAROLINA

GUILFORD County

File

20 CVS 4461

In The General Court Of Justice

☐ District ☒ Superior Court Division

Name Of Plaintiff

Natty Greene's Brewing Company, et al (see attached Complaint)

Address

all c/o 822 N. Elm Street, Suite 200

City, State, Zip

Greensboro NC 27401

VERSUS

Name Of Defendant(s)

Travelers Casualty Insurance Company of America; Travelers Indemnity Company; Sentinel Insurance Company, Limited; Utica National Insurance Group; Frankenmuth Mutual Insurance Company; State Automobile Mutual Insurance Company

CIVIL SUMMONS

☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rules 3 and 4

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

Frankenmuth Mutual Insurance Company
c/o Frederick A. Edmond, Jr., President
One Mutual Avenue
Frankenmuth MI 48787-0001

Name And Address Of Defendant 2

State Automobile Mutual Insurance Company
c/o Michael E. LaRocco, President
518 East Broad Street
Columbus OH 43215

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
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If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

Drew Brown
Brown, Faucher, Peraldo & Benson, PLLC
822 N. Elm Street, Suite 200
Greensboro NC 27401

Date Issued

APR 03 2020

Time

12:38

☐ AM ☒ PM

Signature

Drew Brown

☒ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

☐ ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement

Time

☐ AM ☐ PM

Signature

☐ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

NOTE TO PARTIES: Many counties have **MANDATORY ARBITRATION** programs in which most cases where the amount in controversy is \$25,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

(Over)

AOC-CV-100, Rev. 6/16

© 2016 Administrative Office of the Courts

RETURN OF SERVICE

I certify that this Summons and a copy of the complaint were received and served as follows:

DEFENDANT 1

Date Served	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant
-------------	--	-------------------

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☐ Other manner of service (specify)

- ☐ Defendant WAS NOT served for the following reason:

DEFENDANT 2

Date Served 04/20/2020	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant State Automobile Mutual Ins. Co.
---------------------------	--	---

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☒ Other manner of service (specify)
Certified Mail

- ☐ Defendant WAS NOT served for the following reason:

Service Fee Paid \$	Signature Of Deputy Sheriff Making Return
Date Received	Name Of Sheriff (type or print)
Date Of Return	County Of Sheriff

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

State Automobile Mutual
Ins. Co.
c/o Michael E. LaRocco
its President
518 East Broad Street
Columbus OH 43215



9590 9402 5111 9092 3134 47

2. Article Number (Transfer from service label)

7020 0090 0001 7452 7620

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☒ Agent

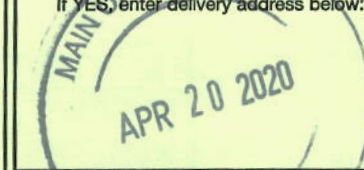
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

4/20/20

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No



3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery